

REMARKS/ARGUMENTS

Reexamination of the captioned application is respectfully requested.

A. SUMMARY OF THIS AMENDMENT

By the current amendment, Applicants basically:

1. Amend claims 41, 43 and 47.
2. Add new claim 59-61.
3. Respectfully traverse all prior art rejections.

B. PATENTABILITY OF THE CLAIMS

Claims 41-47, 49-50 and 56 under 35 USC 103(a) as being unpatentable over U.S. Patent 6,366,961 to Subbiah et al in view of U.S. Publication 2003/0039237 to Forslow. All prior art rejections are respectfully traversed for at least the following reasons.

The office action correctly admits that U.S. Patent 6,366,961 to Subbiah et al does not show a connection carried as a circuit switched connection over a radio interface between the user equipment and the radio access network. The office action attempts to remedy this deficiency by a combination with U.S. Publication 2003/0039237 to Forslow. However, U.S. Publication 2003/0039237 to Forslow, being a reference under 35 USC §102(e), is commonly assigned to Applicant's assignee, with the result that U.S. Publication 2003/0039237 to Forslow must be removed as a reference in view of 35 USC §103(c). Please see the cover page of US Patent 6,608,832 to Forslow, which clearly indicates the common assignee: Telefonaktiebolaget LM Ericsson.

Applicants reiterate that U.S. Patent 6,366,961 to Subbiah et al. does not teach or suggest an arrangement in which a connection (characterized by Applicants' other limitations) is carried as a circuit switched connection over a radio interface between the user equipment unit and the radio access network. Moreover, claims 41 and 47 have been amended, and new independent claims 59 – 61 added, to emphasize a feature of

“exchanging” the ATM protocols with the IP based protocols. The amendatory language is amply supported by the original disclosure, such as by repeated mentioning of “replacing” of the ATM protocol with the appropriate link layer protocols (see, for example, page 13, first paragraph, page 19, first paragraph; page 22, first full paragraph). See also the discussion in the specification (e.g., at page 12, line 10;) about Applicants’ routers mapping an IP address to an ATM VCI.

While in its background U.S. Patent 6,366,961 to Subbiah et al states that ATM Adaptation layer 2 (AAL2) has been standardized to carry compressed speech in an ATM environment, Subbiah does not reference ATM subsequently and does not expressly state that he exchanges the ATM protocols with the IP based protocols or performs mapping. Rather, U.S. Patent 6,366,961 to Subbiah et al is primarily concerned with reducing overhead by multiplexing two or more low bit rate connections into a single RTP/IP/UDP connection using a mini-IP header (such as header 202 illustrated in Fig. 2a).

D. MISCELLANEOUS

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

VILANDER et al
Serial No. 09/734,040

Atty Dkt: 2380-198
Art Unit: 2153

Respectfully submitted,

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